

Thomas E. Scanlon, OSB #152278
tscanlonesq@gmail.com
THE LAW OFFICE OF
THOMAS E. SCANLON, LLC.
650 NE Holladay Street
Suite 1600 #60
Portland, OR 97232
Tel: 503-908-4672
Fax: 503-710-9064

*Counsel for the Plaintiff, Bridgit Beasley, P.C.
d.b.a Blue Sky Wellness Studio*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

BRIDGIT BEASLEY, P.C. d/b/a
BLUE SKY WELLNESS STUDIO

Civil Action No.: 3:15CV02327-JE

Plaintiff,

ORDER AND JUDGMENT

v.

BLUE SKY OF PORTLAND, LLC.

Defendant.

ORDER

AND NOW, on this 19th day of August, 2016, upon review of Plaintiff's Motion for Default Judgment, said motion is hereby **GRANTED**, and is further **ORDERED** and **DECREED**:

FINDINGS:

- A. That Defendant is liable under each claim for relief set forth in Plaintiff's Complaint;
- B. Plaintiff's use of "BLUE SKY WELLNESS" and www.blueskyportland.com entitle Plaintiff to trademark protection therefore.

C. That Defendant's infringement upon said marks, unfair competition, and unlawful business and trade practices have been willful.

ORDERED:

A. Defendant, its agents, servants, employees, attorneys, successors, assigns, and all other persons, firms and corporations acting in concert or in participation with Defendant is permanently enjoined from:

- (1) using "Blue Sky Wellness Center" and blueskyofportland.com or a colorable imitation thereof;
- (2) using in any manner any other mark that is confusingly similar to Plaintiff's marks; and
- (3) infringing Plaintiff's trademark rights identified herein.

B. Defendant is enjoined from filing and/or required to withdraw, cancel or abandon any and all registrations or applications to register any trademarks, trade names or business names containing "Blue Sky Wellness," or any other colorable imitation or confusingly similar variation of Plaintiff's marks;

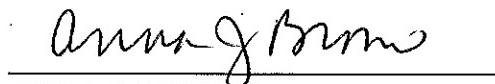
C. Defendant file with this Honorable Court and serve on Plaintiff within 30 days after service on Defendant of such injunction, a report in writing and under oath, setting forth in detail the manner and form in which it has complied with this injunction;

D. Defendant deliver to Plaintiff for destruction or other disposition, all goods, labels, signs, prints, packages, wrappers, advertisements, business forms, letterheads and promotional materials bearing or displaying any marks or other term similar to Plaintiff's marks as to be likely to cause confusion, deception or mistake, in Defendant's possession, custody or control (and to recall for such purpose any such products and materials in possession, custody or control of any other person), as well as any reproduction, counterfeit, copy or colorable imitation thereof; and

E. Plaintiffs are entitled to \$2,227.00 in attorney's fees and costs.

F. Interest on item E. from the date judgment is entered until paid in full at a rate set pursuant to 28 U.S.C. § 1961.

IT IS SO ORDERED



ANNA J. BROWN
United States District Judge